REMARKS/ARGUMENTS

Examiner Bonshock is thanked for the careful consideration he has given to the present patent application. Nonetheless, all of the claim rejections relay on the Ng reference, which is not properly cited as prior art against the present application. Accordingly, withdrawal of the claim rejections is required.

By way of background, in the last Office Action, the Examiner entered rejections over the Serandom and Drempels references, further in view of the Bixler patent. Applicants traversed both rejections in part on the grounds that no reference of record discloses or suggests the notion of an application that is *fully functional* when in an application mode, but *less than fully functional* when in screensaver mode. The Examiner has accepted this characterization:

> Serandom and Drempels, however, don't explicitly teach two modes where one mode has all the features and the other has less than all features.

Office Action, page 4; see also page 21. This deficiency, however, is said to be supplied by the Ng reference.

The Ng reference, however, is not properly cited as prior art against the present application. Ng is a U.S. Patent Publication of an application that was filed on October 16, 2002 (now issued as U.S. Patent No 6,903,743). The Ng reference was published on April 22, 2004. The present application, on the other hand, was filed on March 7, 2002. This date is several months before filing date of Ng and years before Ng publication date. Ng thus is not properly citable against the present application under any section of 35 U.S.C. §102 or under 35 U.S.C §103.

Because all of the cited reference relay on the Ng reference, the rejections all must be withdrawn, especially in light of the Examiner's agreement that the other references "don't explicitly teach two modes where one mode has all the features and the other has less than all features." Applicants note that a number of the claim rejections rely in further respect on the Ng reference (*see*, e.g., page 6, paragraph 25 of the Office
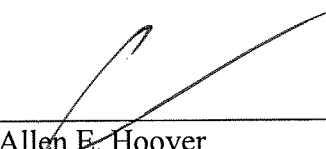
Action, referring to claims 9 and 10). In any case, Ng is not prior art, and the rejections all must be withdrawn.

Applicants do not concede that the Bixler patent is properly combinable with the Serandom or Drempels references, or that the citation of the cited art as against claim 23 (JAVA) is proper. More generally, applicants generally do not concede the applicability of the cited references as against any claim of the present application. Nonetheless, there is no need for further discussion of the foregoing in light of the clear impropriety of reliance on the Ng reference.

Allowance of the present application is respectfully solicited.

Respectfully submitted,

Dated: **April 16, 2007**

Allen E. Hoover
Reg. No. 37,354
Banner & Witcoff, Ltd.
10 S. Wacker Dr.
Suite 3000
Chicago, Illinois 60606
Telephone: 312-463-5000
Facsimile: 312-463-5001